

Carl DIONNE, *et al.*  
Serial No. 09/735,925  
July 23, 2009

### **REMARKS/ARGUMENTS**

Reconsideration of this application is respectfully requested.

The continued rejection of claims 23-42 under 35 U.S.C. §102 as allegedly anticipated by Hacherl '571 is again respectfully traversed.

The Examiner is thanked for providing an extended "response to arguments" section bridging pages 4-9 of the final office action. It appears from the Examiner's comments at page 9 that the Examiner recognizes patentable distinction between the disclosure of the present application and the teachings of Hacherl – but believes that applicants have employed overly broad claim language and/or failed to set forth any narrower interpretation of the claim language sufficient to require the Examiner to give patentable weight to claim limitations previously argued as distinguishing over Hacherl.

The Examiner asserts that applicants' overly broad claim language allows multiple interpretations and meanings which are "broader than applicants' disclosure" – thus forcing the Examiner to interpret the limitations as broadly and as "reasonably possible."

While it is certainly understood that the claims are interpreted in light of the specification without reading limitations from the specification into the claims, the applicants are entitled to have the Examiner at least give patentable weight and due regard for the reasonable meaning of words that are found in the claims.

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Nevertheless, in response to the Examiner's apparent invitation to more particularly define the claimed subject matter – and supply arguments commensurate in scope with the claims – the claims have been further amended above – and additional arguments are presented below that are believed to be fully commensurate not only with the scope of the claims as previously presented, but also with the scope of the claims as now amended. Applicants' earlier distinguishing comments with respect to Hacherl are hereby incorporated by reference so as to not unduly burden the record with mere repetition.

Independent claims 23, 29, 35 and 36 have been amended to specify that the dynamic elements of each of the data objects comprise "attributes and methods." Basis for this is found at 8:15 of the original specification.

Independent claims 23, 29, 35 and 36 have been further amended to remove the previous limitation that a plurality of entities are displayed, wherein each of the entities is defined by the data in one of the data objects, and replaced it with the limitation that each terminal maintains and displays an environment for a networked game, and for at least one of the data objects in its memory, it generates an entity using the methods and attributes in the data object and displays the entity in the environment according to the data in the data object. Basis for this is found at 12:4 to 19:2 of the original specification.

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Hacherl's system includes a domain (70). In each domain, there is a plurality of domain controllers (72a, 72b, 72c), each of which holds a replica (74a, 74b, 74c) of a directory maintained by the domain (see 5:15-19). The Examiner contends ("response to arguments," paragraph A) that these replicas read onto "a plurality of data objects." However, the applicants' independent claims require "a plurality of sets of duplicated data objects." In Hacherl, there is only a single set of replicas, and no disclosure that there might be more than one set. Thus, the replicated directories cannot themselves be the applicants' claimed objects.

The applicants' independent claims require that both the first data object and the second data objects contain "dynamic elements and data." The Examiner has pointed to Hacherl at 6:36-38 as allegedly anticipating the "dynamic elements" of the object.

Hacherl does refer to "objects" here, and defines an object as:

"a distinct, named set of attributes that represents something concrete... The attributes hold data describing the thing that is identified by the directory object."

Therefore, the Examiner is apparently considering the "directory objects" to be the applicants' claimed "objects." In this case, there are presumably a large number of directory objects, which could read onto "a plurality of sets of duplicated data objects." However, if the attributes are the dynamic elements of the objects, they cannot also be the data.

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The Examiner has pointed to Hacherl at 3:40-43 and 6:27-41 as allegedly anticipating the "data" of the objects. However, the first of these referenced Hacherl sections refers to program modules executed by a computer, not the objects. The second of these referenced Hacherl sections refers once again to the attributes of the object. They cannot be both dynamic elements *and* data.

To clarify this aspect of the claimed invention, the independent claims are amended to specify that the dynamic elements of each of the data objects comprises "attributes and methods." It is not possible for the objects of Hacherl to be the applicants' claimed data objects because they do not contain "data and dynamic elements comprising attributes and methods." Hacherl's objects contain only one type of information which cannot be both dynamic elements *and* data, and they certainly do not contain methods.

Following this, the applicants' claims require "updating the data contained in said second objects in response to receiving updates over said network, wherein for each of said updates a portion of the data in one of said second objects is replaced with data contained in said update without changing the dynamic elements in said second object."

Since Hacherl does not disclose data objects including both dynamic elements and data, it cannot disclose updating data in an object without changing the dynamic elements.

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The Examiner has pointed to Hacherl at 7:54-62 – but this passage only indicates that a destination server will ensure that it does not continually fetch the same changes. The Examiner also references Hacherl at 7:30-33. But this passage only discloses that the second domain controller returns replication data (for the specific naming context defined in the replication agreement) in a reply message to the first domain controller. Once again, there is no distinction made by Hacherl between a dynamic element and a data element of a data object.

The Examiner continues to maintain that the use of a “master server” in Hacherl reads onto the establishment of a plurality of “master data objects” in the applicants’ claimed invention. In Hacherl, it is only a server that is master, wherein the independent claims establish a master data object for each set of duplicated data objects. These master data objects could each be on a different terminal in the network. However, in Hacherl, if the objects residing on the master server are, in some strange and undefined way, considered to be master data objects, then if the master server changes, all the master data “objects” of necessity change also. Independent claim 36 has, therefore, been amended to clarify that at least one of the master data objects is maintained by a different terminal from that maintaining at least one of the other master data objects.

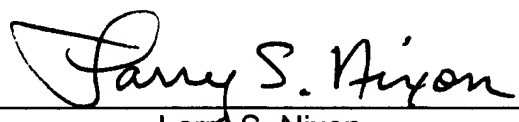
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As will be noted, the claims have been amended to specify that each networked terminal maintains and displays an environment for a networked game and that each of the entities in the game are generated using the attributes and methods of a respective data object and displayed in an environment according to the data in the object. This is certainly not disclosed in Hacherl, which does not have any relevance to networked games.

Accordingly, this entire application is now believed to be in allowable condition, and a formal notice to that effect is earnestly solicited.

Respectfully submitted,

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